

Committee on Resources

Subcommittee on Fisheries Conservation, Wildlife and Oceans

Statement

TESTIMONY OF GARY FRAZER, ASSISTANT DIRECTOR FOR ECOLOGICAL SERVICES, U.S. FISH AND WILDLIFE SERVICE, DEPARTMENT OF THE INTERIOR BEFORE THE HOUSE RESOURCES SUBCOMMITTEE ON FISHERIES CONSERVATION, WILDLIFE AND OCEANS REGARDING H.R. 1775, THE ESTUARY HABITAT RESTORATION PARTNERSHIP ACT OF 1999

September 23, 1999

INTRODUCTION

Mr. Chairman and members of the Subcommittee, I am Gary Frazer, Assistant Director for Ecological Services with the U.S. Fish and Wildlife Service. I appreciate the opportunity to testify today on H.R. 1775, the Estuary Habitat Restoration Partnership Act of 1999. The Service supports H.R. 1775 and commends Congressman Wayne Gilchrest and the co-sponsors for introducing this important legislation.

MISSION AND ESTUARINE HABITATS

Estuaries are systems of enormous ecological significance. These areas provide vital habitat for a great many of our Nation's fish, shellfish, migratory birds, and threatened and endangered species. Unfortunately, these same essential habitats continue to be severely threatened by development pressures and habitat alteration along our Nation's coasts. The Fish and Wildlife Service has broad authority and extensive involvement in the protection of coastal living resources. Programs in fisheries, refuges, migratory bird management, habitat conservation, endangered species, environmental contaminants, and law enforcement have combined their strengths to address trust resource issues in the Nation's coastal regions. The Service is directly responsible for managing a significant amount of coastal habitat, with more than one-third of all National Wildlife Refuges located in coastal areas and 1.5 million acres of coral reefs and adjacent submerged habitat currently under Service management authority. The Service also is actively involved in efforts to protect remaining fish and wildlife habitat, restore fish access to spawning and nursery habitats, and restore natural flow and circulation in the Nation's estuaries.

COASTAL CONSERVATION PROGRAMS

The Service has grants programs and collaborative programs in place that deal specifically with coastal trust resources. The Service administers two grants programs with funding authorized from the Coastal Wetlands Planning, Protection, and Restoration Act of 1990 (CWPPRA), a law that authorizes the use of an excise tax on fishing equipment and motor boat and small engine fuel to be used for conservation. Seventy percent of funding under CWPPRA is directed to the Louisiana Coastal Wetlands Conservation and Restoration Task Force to fund projects to protect and restore Louisiana's unique coastal resources. The remaining thirty percent of the funding is divided equally between two grants programs administered by the Service: the National Coastal Wetlands Conservation Grant Program, and the Coastal Grants portion of the North American Wetlands Conservation Fund, established by the North American Wetlands Conservation Act (NAWCA).

Under the National Coastal Wetlands Conservation Grant Program, the Service provides matching grants to

States for acquisition, restoration, management and enhancement of coastal wetlands. Currently, close to \$10 million in grants are awarded annually through a nationwide competitive process. To date, \$62.6 million in funding has been awarded to 24 coastal States and one U.S. Territory, and more than 87,000 acres of coastal wetlands have been -- or will be -- restored or protected. The States decide how to spend the funding and traditionally have focused on land acquisition and protection of sensitive coastal areas.

In contrast, the Coastal Grants portion of the North American Wetlands Conservation Fund is designed to support migratory bird conservation projects in coastal States. Funding can be awarded to any person, organization, or agency providing a 1:1 match and fulfilling the criteria of NAWCA and its nine-member Council. These funds are closely linked to fulfilling the purposes of the North American Waterfowl Management Plan, which is served by ten Joint Venture partnerships located in critical habitat regions throughout the country. We encourage the Committee to recognize the opportunity that exists for the Regional Councils established under H.R. 1775 to work with the Joint Ventures and the NAWCA Council on estuary restoration projects. NAWCA is an excellent example of a partnership-driven approach to a Federal grants program. In fiscal year 1999, \$10 million in grants were awarded through the competitive grants program for coastal and estuary restoration projects that focused on restoring important migratory bird habitat. Since its inception in 1990, the program has awarded over \$65 million in funding to projects in 26 coastal States and the U.S. Virgin Islands, resulting in the protection or restoration of over 308,000 acres of habitat.

The Service also administers the National Wetlands Inventory program through which the Emergency Wetlands Resources Act of 1986 (P.L. 99-645, as amended in 1992) authorizes the Service to make digital maps of all wetlands and deepwater habitats of the United States, including estuaries. Over the past 20 years, the Service has done extensive work to characterize wetland and deepwater habitat types, losses, and causes of such losses, and to make this information available to the public. These comprehensive data will be of value in developing and applying project selection criteria under H.R. 1775.

Finally, the Service has responsibilities to improve and restore estuarine habitat in cooperation with Federal, state and other partners under both the Atlantic Coastal Fisheries Cooperative Management Act and the Great Lakes Fish and Wildlife Restoration Act, as well as through the Coastal America Program.

INVOLVEMENT IN ESTUARY HABITAT RESTORATION

The Service's primary collaborative mechanism for on-the-ground restoration and protection of estuaries is its Coastal Program. Since 1991, this program has been forming cooperative partnerships to protect and restore coastal habitats in priority watersheds around the Nation. The program currently has an active presence in eleven coastal watersheds on all three coasts, including the Gulf of Maine, Southern New England/New York Bight, Delaware Bay, Chesapeake Bay, Albemarle/Pamlico Sound, South Carolina, South Florida, Galveston Bay, San Diego Bay, San Francisco Bay, and Puget Sound. The President has requested appropriations for Fiscal Year 2000 to allow for expansion of Coastal Program capability to the Great Lakes, Alaska, and Hawaii.

Through this program, Service biologists provide technical and financial assistance in coastal habitat protection and restoration to other Federal and State agencies, local and tribal governments, businesses, private landowners, and conservation organizations, such as local land trusts and watershed councils. Such partnerships, combined with program expertise in wildlife habitat identification and coastal restoration techniques, facilitate the efficient transfer of funds to on-the-ground projects with tangible benefits for fish, wildlife, and their habitats.

Over the past 5 years, the Service's Coastal Program partnerships have

- protected more than 97,000 acres of coastal habitats through conservation easements and acquisition,
- reopened 1,955 miles of coastal streams for anadromous fish passage,

- restored 28,700 acres of coastal wetlands,
- restored 15,852 acres of coastal upland habitat, and
- restored 235 miles of coastal stream habitat.

Such accomplishments have been made possible through extensive coordination with other agencies, initiation of interagency projects, and active participation with the Environmental Protection Agency (EPA) and State partners in implementing fish and wildlife aspects of the National Estuary Program (NEP). For example, the Service has helped ensure that estuarine habitat and trust species issues are addressed during development of Comprehensive Conservation and Management Plans under the NEP for "estuaries of national significance." Many of these estuary management plans specify a lead role for the Service in the implementation phase.

Following are examples of estuary habitat restoration projects in which the Service is actively involved.

Protection (Easements and Acquisition)

- In the Gulf of Maine, the Service is working with the National Fish and Wildlife Foundation, Maine Coast Heritage Trust, and other partners to acquire significant migratory and shorebird nesting habitat on Maine's coastal islands.
- Along the South Carolina coast, the Service is working in partnership with Ducks Unlimited, Low Country Land Trust, and private landowners to develop conservation easements on wetlands and bottomland hardwoods in the migratory flyway.
- In southern New England, the Service is developing conservation easements on priority habitat areas at the mouth of the Connecticut River.

Restoration (Upland, Wetland, and Riparian)

- In San Francisco Bay, Coastal Program biologists have worked with Refuge staff, the Army Corps of Engineers, and The Nature Conservancy to reintroduce tidal flow to formerly-diked wetlands to re-establish salt marsh.
- In southern California, the Service is working with the California Coastal Commission to implement restoration of damaged coastal lagoons, including San Dieguito, Bolsa Chica, and San Elijo.
- In North Carolina, the Service is working in partnership with EPA, timber and paper companies, and academic institutions to expand Atlantic white cedar restoration in forested coastal wetlands.
- Along the Texas coast, the Service is working in partnership with Texas Parks and Wildlife, Houston Power and Light, the National Marine Fisheries Service, and the Galveston Bay Foundation to restore seagrass beds critical to fish and shellfish.
- In the Chesapeake Bay, the Service is working with other Federal and State partners to implement riparian restoration measures identified in the Watershed Plan to improve habitat and water quality.

Fish Passage

- The Service is working to reopen riverine habitats to anadromous fish for access to spawning areas in the Albemarle-Pamlico watershed in North Carolina, the Chesapeake Bay, and other East Coast estuaries. For example, implementation of the Little Falls Fish Passage Project, a partnership between the Army Corps of Engineers, Maryland DNR, the U.S. Geological Survey, and the Service was celebrated on September 17, 1999.
- In Puget Sound and other Pacific Northwest waterway, the Service is working with NOAA, the Washington Department of Ecology, and the Muckleshoot and Suquamish Indian Tribes to retrofit culverts and restore salmon access to spawning habitat.
- In the Gulf of Maine, the Service is working in coordination with the National Fish and Wildlife Foundation's Maine Atlantic Salmon Collaborative and other partners to implement numerous Atlantic salmon habitat protection and restoration projects.

If H.R. 1775 were enacted, additional funds would be authorized to tackle similar projects as well as the larger scale restoration projects necessary to effect positive change in areas of widespread degradation. Examples of pending large-scale restoration opportunities include:

- Removal of exotic plants to restore bird habitat in South Florida coastal uplands;
- Restoration of salt marshes in coastal Louisiana consistent with the Coast 2050 Plan and other such plans regarding coastal restoration;
- Restoration of damaged coastal lagoons and wetlands along the southern California coast;
- Restoration of seagrass beds at numerous waterbird rookeries in Tampa Bay; and
- Restoration of coastal wetland habitats critical to endangered species in Hawaii.

ROLE UNDER H.R. 1775

The Service supports H.R. 1775 and its overall goal of restoring one million acres of estuarine habitat by 2010. As the Federal lead for fresh water fish and wildlife conservation, the Service will bring a "living resource focus" to the Council and promote the selection of projects that benefit fish and wildlife resources and their habitats. The Service has a network of biologists around the country with expertise in coastal restoration techniques and supporting activities such as GIS mapping, habitat identification, assessment, and monitoring. These personnel can provide assistance and support to the Regional Councils throughout the grant proposal, selection, implementation and monitoring processes outlined in H.R. 1775. The Service's Coastal Program biologists and joint venture coordinators have built trusting relationships with numerous partners in the field and have the delivery mechanisms in place and the groundwork laid to quickly convert grant funds to tangible results. The Service could also play an important role, in working with the U.S. Geological Survey and others, in project monitoring and determining whether flora and fauna return successfully to a restored area -- the ultimate test of whether restoration has truly been accomplished. This is exemplified by the Service's Adaptive Management and Assessment Team which performs monitoring, research, and assessments of restoration projects.

We support the "bottom-up" approach to estuary restoration established by the National Council / Regional Council structure called for in H.R. 1775. While the bill provides a broad outline of the tasks of the Council, we suggest clarification of what is meant by the "national strategy for restoration of estuary habitat" called for in Section 104 of the bill. We feel strongly that such a strategy should draw heavily on the many local, State and Federal plans that have already been developed and that the Council should coordinate, rather than duplicate, current planning efforts. Accordingly, we suggest that Section 102 (3) of the Purposes Section be amended to include existing Federal, State, and community programs, plans and studies, such as National Estuary Plans, Coastal Zone Management Plans, species recovery plans, Fishery Management Plans, and activities under the North American Waterfowl Management Plan and Coastal Wetlands Planning, Protection and Restoration Act. By taking advantage of the many existing plans, the Council will be able to more efficiently direct funds to on-the-ground restoration projects that make a difference for fish, wildlife, and people.

The Committee has asked if we believe there is sufficient funding in the bill for the Service to carry out its activities. Our Coastal Program currently is not funded and staffed to adequately support the Councils and provide the increased technical assistance that would be necessary to meet the needs from partners. The Service is very sensitive to the issue of more money being targeted to support the Partnership program. We want the majority of funding under the bill to go toward on-the-ground restoration activities. However, we hope the Congress will provide a reasonable amount of funding to the Federal agencies to enable us to effectively implement this Act.

ADDITIONAL COMMENTS ON H.R. 1775

The Service has several other observations and suggestions we would like to make regarding the language in

H.R. 1775:

- The Service endorses the bill's provision to reauthorize the Federal Interagency Chesapeake Bay Program, in which the Service participates as an advisory member via the Coastal and Fisheries Programs. This program provides the framework for Federal agencies, three States and the District of Columbia to identify and address continuing problems in the largest estuary in North America.
- The Service recommends that H.R. 1775 include the Great Lakes region by creating a seventh regional council under section 105. The Great Lakes system comprises the Nation's longest single coastline, contains a variety of critically important ecosystems, and faces many of the same threats as the Atlantic, Gulf, and Pacific coasts.

The Service also supports the recommendations made by the National Oceanic and Atmospheric Administration and the Army Corps of Engineers in their testimony in support of H.R. 1775 before the House Transportation Subcommittee on Water Resources and Environment on July 13, 1999, to encourage the addition of a purpose of the bill that would focus on public education and outreach on the values of estuarine resources.

CONCLUSION

With these comments and suggestions, the Service believes that H.R. 1775 is a valuable bill that would provide the Federal coordination and funding authorizations needed to restore and protect important coastal and estuarine resources throughout the Nation. We applaud the collaborative approach envisioned in the legislation to encourage Federal agencies to work together and develop partnerships with States and communities for estuary habitat restoration. Much of the necessary planning has been done, but the increased coordination measures and funding authorizations provided in this legislation will help speed the process of converting such plans to tangible, on-the-ground projects that benefit fish, wildlife, and the American people. We strongly support the spirit and intent of H.R. 1775 and look forward to working with Congress to pass the legislation this year.

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